



Practitioner's Docket No. 2003-IP-010077U2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of \_\_\_\_\_  
Inventor(s)

for \_\_\_\_\_  
Title of invention

OR

In re application of: Philip D. Nguyen

Application No.: 0 10 / 608,373

Group Art Unit:

Filed: 06/27/03

Examiner:

For: Permeable Cement and Methods of Fracturing Utilizing Permeable Cement  
in Subterranean Well Bores.

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
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Signature

Tammy Knight

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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office  
Action [8-3]—page 1 of 3)

**NOTE:** 37 C.F.R. 1.98(b):

(1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.

(2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.

(3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.

(4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.

(5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

Reg. No.: 28,826

Tel. No.: (580) 251-3125

Customer No.:



**SIGNATURE OF PRACTITIONER**

Robert A. Kent

(type or print name of practitioner)

P.O. Box 1431

P.O.\*Address

Duncan, OK 73536-0440



**PATENT 2003-IP-010077U2**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Philip D. Nguyen	)	
		)	Art Unit: Unknown
Serial No.:	10/608,373	)	
		)	
Filed:	06/27/2003	)	Examiner: Unknown
		)	
For:	Permeable Cement and	)	
	Methods of Fracturing	)	
	Utilizing Permeable	)	
	Cement in Subterranean	)	
	Well Bores	)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

**U. S. PATENTS**

U.S. Patent Number 3,272,650 issued 09/13/66 to Russell L. MacVittie;  
U.S. Patent Number 3,819,525 issued 06/25/74 to David L. Hattenbrun;  
U.S. Patent Number 4,172,066 issued 10/23/79 to Maurice L. Zweigle, et al;  
U.S. Patent Number 4,460,052 issued 07/17/84 to Judith Gockel;  
U.S. Patent Number 4,498,995 issued 02/12/85 to Judith Gockel;  
U.S. Patent Number 4,715,967 issued 12/29/87 to Harold E. Bellis, et al;  
U.S. Patent Number 4,797,262 issued 01/10/89 to Thomas S. Dewitz;

U.S. Patent Number 4,886,354 issued 12/12/89 to Gary E. Welch, et al;  
U.S. Patent Number 4,957,165 issued 09/18/90 to Lisa A. Cantu, et al;  
U.S. Patent Number 4,986,355 issued 01/22/91 to Burton M. Casad, et al;  
U.S. Patent Number 5,249,628 issued 10/05/93 to Jim B. Surjaatmadja;  
U.S. Patent Number 5,295,542 issued 03/22/94 to R. Clay Cole, et al;  
U.S. Patent Number 5,325,923 issued 07/05/94 to Jim B. Surjaatmadja, et al;  
U.S. Patent Number 5,330,005 issued 07/19/94 to Roger J. Card, et al;  
U.S. Patent Number 5,360,068 issued 11/01/94 to Eve S. Sprunt, et al;  
U.S. Patent Number 5,363,916 issued 11/15/94 to Ronald E. Himes, et al;  
U.S. Patent Number 5,373,901 issued 12/20/94 to Lewis R. Norman, et al;  
U.S. Patent Number 5,386,874 issued 02/07/95 to Steven B. Laramay, et al'  
U.S. Patent Number 5,396,957 issued 03/14/95 to Jim B. Surjaatmadja, et al;  
U.S. Patent Number 5,402,846 issued 04/04/95 to Alfred R. Jennings, Jr., et al;  
U.S. Patent Number 5,464,060 issued 11/07/95 to Arthur H. Hale, et al;  
U.S. Patent Number 5,497,830 issued 03/12/96 to Joel L. Boles, et al;  
U.S. Patent Number 5,499,678 issued 03/19/96 to Jim B. Surjaatmadja, et al;  
U.S. Patent Number 5,505,787 issued 04/09/96 to Kyouichi Yamaguchi;  
U.S. Patent Number 5,512,071 issued 04/30/96 to Benny S. Yam, et al;  
U.S. Patent Number 5,604,186 issued 02/18/97 to Charles V. Hunt, et al;  
U.S. Patent Number 5,670,473 issued 09/23/97 to William H. Scepauski;  
U.S. Patent Number 5,698,322 issued 12/16/97 to Fu-Jya Tsai, et al;

U.S. Patent Number 5,765,642 issued 06/16/98 to Jim B. Surjaatmadja;

U.S. Patent Number 5,833,000 issued 11/10/98 to Jim D. Weaver, et al;

U.S. Patent Number 5,853,048 issued 12/29/98 to Jim D. Weaver, et al;

U.S. Patent Number 5,893,416 issued 04/13/99 to Peter Arne Read;

U.S. Patent Number 5,964,291 issued 10/12/99 to Hugh M. Bourne, et al;

U.S. Patent Number 6,004,400 issued 12/21/99 to Phillip W. Bishop, et al;

U.S. Patent Number 6,024,170 issued 02/15/00 to Michael A. McCabe, et al;

U.S. Patent Number 6,028,113 issued 02/22/00 to William H. Scepanski;

U.S. Patent Number 6,123,965 issued 09/26/00 to Jules S. Jacob, et al;

U.S. Patent Number 6,135,987 issued 10/24/00 to Fu-Jya Daniel Tsai, et al;

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U.S. Patent Number 6,508,305 B1 issued 01/21/03 to Harold D. Brannon, et al;

U.S. Patent Number 6,527,051 B1 issued 03/04/03 to Baireddy R. Reddy, et al;  
U.S. Patent Number 6,554,071 B1 issued 04/29/03, to Baireddy R. Reddy, et al;  
U.S. Patent Number 6,569,814 B1 issued 05/27/03 to Mark E. Brady, et al;  
U.S. Patent Number 6,667,279 B1 issued 12/23/03 to James E. Hessert, et al;  
U.S. Patent Number 6,681,856 B1 issued 01/27/04 to Jiten Chatterji, et al;  
U.S. Patent Number 6,686,328 B1 issued 02/03/04 to Christopher James Binder;  
U.S. Publication Number 2003/0188766 A1 published 10/09/03 by Souvik Banerjee, et al;  
U.S. Publication Number 2004/0055747 A1 published 03/25/04 by Li-Jien Lee;  
U.S. Publication Number 2004/0106525 A1 published 06/03/04 by Dean Willberg, et al;  
U.S. Publication Number 2004/0138068 A1 published 07/15/04 by Brett Rimmer, et al;  
U.S. Publication Number 2004/0152601 A1 published 08/05/04 by John W. Still, et al;  
U.S. Publication Number 2004/0152602 A1 published 08/05/04 Joel Lynn Boles.

#### **FOREIGN PATENTS**

Int'l Publication Number WO 99/27229 A1 published 06/03/99 by Allan R. Rickards, et al;  
Int'l Publication Number WO 03/027431 A2 published 04/03/03 by Claude E. Cooke, Jr.;  
Int'l Publication Number WO 03/027431 A3 published 04/03/03 by Claude E. Cooke, Jr.;  
European Patent Number 0 510 762 A2 published 10/28/92 by Mark Philip Houghton, et al.

## **PAPERS/OTHER**

*Selectively Placing Many Fractures in Openhole Horizontal Wells Improves Production,*

*SPE 50422*, published 1998 Society of Petroleum Engineers by T. G. Love, et al;

*Evolving New Stimulation Process Proves Highly Effective in Level 1 Dual-Lateral*

*Completion, SPE 78697*, published 2002 Society of Petroleum Engineers by B. W.

McDaniel, et al;

*Aliphatic Polyesters: Synthesis, Properties and Applications* published 2002, Advances

in Polymer Science, Volume 157, Springer-Verlag by Ann-Christine Albertsson, et al;

*Controlled Ring-Opening Polymerization of Lactide and Glycolide* published 2004

American Chemical Society, Chemical Reviews, A-Z, AA-AD, by Odile Dechy-Cabaret,

et al;

*Synthetic Polymer Fracturing Fluid for High-Temperature Applications, SPE 80236,*

published 2003 Society of Petroleum Engineers by Gary P. Funkhouser, et al;

*Chelating Agents*, Encyclopedia of Chemical Technology, Volume 5, 764-795;

*A New Assay for the Enzymatic Degradation of Polylactic Acid*, Short Report, published

ScienceAsia 29 (2003): 297-300 by Virun Vichaibun, et al;

Patent Application Number 10/864,061 filed 06/09/04, *Aqueous Tackifier and Methods of*

*Controlling Particulates* by Matt Blauch, et al;

Patent Application Number 10/864,618 filed 06/09/04, *Aqueous-Based Tackifier Fluids*

*and Methods of Use* by Matt Blauch, et al.



## **BROCHURES**

*SurgiFrac<sup>SM</sup> Service, A Quick and Cost-Effective Method to Help Boost Production From Openhole Horizontal Completions, HO3297*, published 2002 Halliburton

Communications;

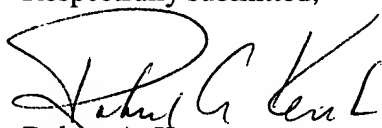
*Cobra Frac<sup>SM</sup> Service, Coiled Tubing Fracturing—Cost-Effective Method for Stimulating Untapped Reserves HO2319R*, published 2000 Halliburton Energy Services, Inc;

*CobraJet Frac<sup>SM</sup> Service, Cost-effective Technology That Can Help Reduce Cost Per BOE Produced, Shorten Cycle Time and Reduce Capex* published Halliburton

Communications.

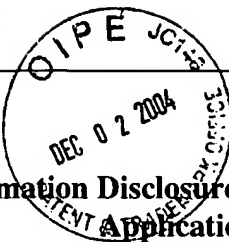
Copies of the aforementioned non-patent references and Form PTO-1449 are submitted herewith.

Respectfully submitted,



Robert A. Kent  
Registration No. 28,626  
Halliburton Energy Services  
P. O. Box 1431  
Duncan, OK 73536-0440  
580-251-3125

PTO-1449


**Information Disclosure Citation in an  
Application**

Application No.

10/608,373

Applicant(s)

Philip D. Nguyen

Docket Number

2003-IP-010077U2

Group Art Unit

Filing Date

06/27/2003

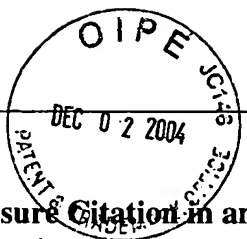
**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		3,272,650	09-13-66	MacVittie	134	7	02-21-63
		3,819,525	06-25-74	Hattenbrun	252	132	08-21-72
		4,172,066	10-23-79	Zweigle <i>et al.</i>	260	29.6TA	09-26-77
		4,460,052	07-17-84	Gockel	175	72	08-10-81
		4,498,995	02-12-85	Gockel	252	8.5LC	07-01-83
		4,715,967	12-29-87	Bellis	252	8.551	12-27-85
		4,797,262	01-10-89	Dewitz	422	142	06-03-87
		4,886,354	12-12-89	Welch <i>et al.</i>	356	70	05-06-88
		4,957,165	09-18-90	Cantu <i>et al.</i>	166	295	06-19-89
		4,986,355	01-22-91	Casad, <i>et al.</i>	166	295	05-18-89
		5,249,628	10-05-93	Surjaatmadja	166	305	09-29-92
		5,295,542	03-22-94	Cole, <i>et al.</i>	166	278	10-05-92
		5,325,923	07-05-94	Surjaatmadja, <i>et al.</i>	166	308	09-30-93
		5,330,005	07-19-94	Card, <i>et al.</i>	166	280	04-05-93
		5,360,068	11-01-94	Sprunt, <i>et al.</i>	166	259	04-19-93
		5,363,916	11-15-94	Himes, <i>et al.</i>	166	276	06-16-93
		5,373,901	12-20-94	Norman, <i>et al.</i>	166	300	07-27-93
		5,386,874	02-07-95	Laramay, <i>et al.</i>	166	300	11-08-93
		5,396,957	03-14-94	Surjaatmadja, <i>et al.</i>	166	308	03-04-94
		5,402,846	04-04-95	Jennings, Jr., <i>et al.</i>	166	259	11-15-93
		5,464,060	11-07-95	Hale, <i>et al.</i>	166	293	04-12-94
		5,497,830	03-12-96	Boles, <i>et al.</i>	166	300	04-06-95
		5,499,678	03-19-96	Surjaatmadja, <i>et al.</i>	166	298	08-02-94
		5,505,787	04-09-96	Yamaguchi	134	4	01-28-94
		5,512,071	04-30-96	Yam, <i>et al.</i>	51	307	02-25-94
		5,604,186	02-18-97	Hunt, <i>et al.</i>	507	204	02-15-95
		5,670,473	09-23-97	Scepanski	510	445	06-06-95

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



PTO-1449

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		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		5,698,322	12-16-97	Tsai, <i>et al.</i>	428	373	12-02-96
		5,765,642	06-16-98	Surjaatmadja	166	297	12-23-96
		5,833,000	11-10-98	Weaver, <i>et al.</i>	166	276	02-18-97
		5,853,048	12-29-98	Weaver, <i>et al.</i>	166	279	04-21-98
		5,893,416	04-13-99	Read	166	304	11-28-97
		5,964,291	10-12-99	Bourne, <i>et al.</i>	166	279	02-28-96
		6,004,400	12-21-99	Bishop, <i>et al.</i>	134	2	07-09-97
		6,024,170	02-15-00	McCabe, <i>et al.</i>	166	300	06-03-98
		6,028,113	02-22-00	Scepanski	514	643	09-27-95
		6,123,965	09-26-00	Jacob, <i>et al.</i>	424	489	08-18-98
		6,135,987	10-24-00	Tsai, <i>et al.</i>	604	365	12-22-99
		6,169,058 B1	01-02-01	Le, <i>et al.</i>	507	222	06-05-97
		6,209,646 B1	04-03-01	Reddy, <i>et al.</i>	166	300	04-21-99
		6,214,773 B1	04-10-01	Harris, <i>et al.</i>	507	271	09-29-99
		6,260,622 B1	07-17-01	Blok, <i>et al.</i>	166	305.1	12-23-98
		6,311,773 B1	11-06-01	Todd, <i>et al.</i>	166	280	01-28-00
		6,357,527 B1	03-19-02	Norman, <i>et al.</i>	166	300	05-05-00
		6,422,314 B1	07-23-02	Todd, <i>et al.</i>	166	312	08-01-00
		6,454,003 B1	09-24-02	Chang, <i>et al.</i>	166	270	06-14-00
		6,494,263 B2	12-17-02	Todd	166	312	01-09-01
		6,508,305 B1	01-21-03	Brannon, <i>et al.</i>	166	293	09-14-00
		6,527,051 B1	03-04-03	Reddy, <i>et al.</i>	166	300	07-12-02
		6,554,071 B1	04-29-03	Reddy, <i>et al.</i>	166	293	07-12-02
		6,569,814 B1	05-27-03	Brady, <i>et al.</i>	507	201	04-20-00
		6,667,279 B1	12-23-03	Hessert, <i>et al.</i>	507	225	11-13-97
		6,681,856 B1	01-27-04	Chatterji, <i>et al.</i>	166	294	05-16-03
		6,686,328 B1	02-03-04	Binder	510	446	07-09-99

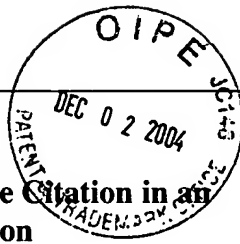
**EXAMINER**

**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449

**Information Disclosure Citation in an  
Application**



Application No.  
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Applicant(s)  
Philip D. Nguyen

Docket Number  
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06/27/2003

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		US 2003/0188766A1	10-09-03	Banerjee, <i>et al.</i>	134	7	12-19-02
		US 2004/0055747A1	03-25-04	Lee	166	278	09-20-02
		US 2004/0106525A1	06-03-04	Willbert, <i>et al.</i>	507	200	10-17-03
		US 2004/0152601A1	08-05-04	Still, <i>et al.</i>	507	100	10-27-03
		US 2004/0152602A1	08-05-04	Boles	507	100	01-15-04

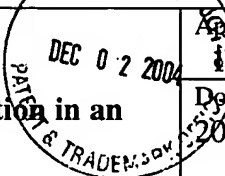
**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
		WO 99/27229	06-03-99	PCT	E21B	43/26	X	
		WO 03/027431 A2	04-03-03	PCT	E21B	-	X	
		WO 03/027431 A3	04-03-03	PCT	E21B	43/26	X	
		EP 0 510 762 A2	04-16-92	Europe	C11D	17/00	X	

EXAMINER

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PTO-1449		Application No.	Applicant(s)	
		10/608,373	Philip D. Nguyen	
Information Disclosure Citation in an Application		Docket Number	Group Art Unit	Filing Date
		2003-IP-010077U2		06/27/2003

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No

### NON-PATENT DOCUMENTS

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	
		Love, et al, <i>Selectively Placing Many Fractures in Openhole Horizontal Wells Improves Production</i> , SPE 50422, Society of Petroleum Engineers, 1998	
		McDaniel, et al, <i>Evolving New Stimulation Process Proves Highly Effective in Level 1 Dual-Lateral Completion</i> , SPE 78697, Society of Petroleum Engineers, 2002	
		Albertsson, et al, <i>Aliphatic Polyesters: Synthesis, Properties and Applications</i> , Advances in Polymer Science, Vol. 157, 2002	
		Dechy-Cabaret, et al, <i>Controlled Ring-Opening Polymerization of Lactide and Glycolide</i> , American Chemical Society, Chemical Reviews, A-Z, AA-AD, received 2004	
		Funkhouser, et al, <i>Synthetic Polymer Fracturing Fluid for High-Temperature Applications</i> , SPE 80236, Society of Petroleum Engineers, 2003	
		<i>Chelating Agents</i> , Encyclopedia of Chemical Technology, Vol. 5 (764-795)	
		Vichaibun, et al, <i>A New Assay for the Enzymatic Degradation of Polylactic Acid</i> , Short Report, ScienceAsia, Vol. 29, 2003 (pp. 297-300)	
		Halliburton, <i>SurgiFrac<sup>SM</sup> Service, A Quick and Cost-Effective Method to Help Boost Production From Openhole Horizontal Completions</i> , Halliburton Communications, HO3297, 2002	
		Halliburton, <i>Cobra Frac<sup>SM</sup> Service, Coiled Tubing Fracturing—Cost-Effective Method for Stimulating Untapped Reserves</i> , HO2319R, Halliburton Energy Services, 2000	
		Halliburton, <i>CobraJet Frac<sup>SM</sup> Service, Cost-effective Technology That Can Help Reduce Cost Per BOE Produced, Shorten Cycle Time and Reduce Capex</i> , Halliburton Communications	
		Blauch, et al, <i>Aqueous Tackifier and Methods of Controlling Particulates</i> , Patent Application No. 10/864,061, filed 06-09-04	
		Blauch, et al, <i>Aqueous-Based Tackifier Fluids and Methods of Use</i> , Patent Application No. 10/864,618, filed 06-09-04	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.